

# Exhibit 3



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January 3, 2022

***Via Email and Regular Mail***

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James E. Weger, Esq.  
Tadd J.P. Bogan, Esq.  
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Tulsa, OK 74103-4309

Re: Brownells, Inc.'s Deposition Topics  
GWACS Armory, LLC vs. KE Arms, LLC et al.  
Case No. 4:20-cv-00341-CVE-SH  
Our File No. 16075-1

Dear Mr. Weger and Mr. Bogan:

As you know, we represent KE Arms, LLC ("KEA") and Brownells Inc. ("Brownells") in the above-referenced matter. This letter is in response to the October 7, 2021 deposition notice directed to Brownells, Inc. by your client, GWACS Armory, LLC (the "Notice"). On October 20, 2021, Brownells objected to the Notice topics on several grounds. Then, at our October 21, 2021 discovery conference, GWACS Armory, LLC ("Armory") agreed to amend its deposition Notice topics pursuant to the objections raised by Brownells.

To date, however, Armory has not amended its Notice topics as agreed. Please consider this a sincere request that Armory amend its Notice topic as agreed. In addition to Brownells October 20, 2021 objections, Brownells further objects as set forth below (Brownells incorporates by reference its objections raised on October 20, 2021):

Federal Rule of Civil Procedure ("FRCP") 30(b)(6) allows a party to notice the deposition of a corporation, but requires the party requesting the deposition to specify the areas of inquiry. The party noticing the deposition must "must describe with reasonable particularity the matters for examination." *Id.* Further, deposition topics may only seek discovery "regarding any nonprivileged matter that is relevant to any party's claim or defense and proportional to the needs of the case..." FRCP 26(b)(1).

Here, the following topic numbers and corresponding objections to the Notice that fail to meet the FRCP 30(b)(6) and 26(b)(1) requirements.

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- Topic #1 – Objection, this topic is overbroad because the area of inquiry for which a 30(b)(6) designation is sought indicates that the areas of inquiry will “includ[e] but not [be] limited to” the areas specifically enumerated, thereby making compliance with the designation an impossible task.
- Topic #3 – Objection, Armory has voluntarily dismissed its trademark, traddress, and copyright claims. Thus, this topic seeks to obtain discovery regarding information that is both (1) irrelevant to any party's claim or defense, and (2) disproportionate to the needs of the case.
- Topic #4 – Objection, Armory has voluntarily dismissed its trademark, traddress, and copyright claims. Thus, this topic seeks to obtain discovery regarding information that is both (1) irrelevant to any party's claim or defense, and (2) disproportionate to the needs of the case.
- Topic #5 – Objection, this topic is overbroad as it failed to apply any date limits for the deposition topic and the outer limits of the areas of inquiry noticed cannot be identified, thereby making compliance with the designation not feasible.
- Topic #6 – Objection, this topic is overbroad as it failed to apply any date limits for the deposition topic and the outer limits of the areas of inquiry noticed cannot be identified, thereby making compliance with the designation not feasible.
- Topic #9 – Objection, this topic is overbroad because the area of inquiry for which a 30(b)(6) designation is sought indicates that the areas of inquiry will “includ[e] but not [be] limited to” the areas specifically enumerated, thereby making compliance with the designation an impossible task.
- Topic #10 – Objection, this topic is vague, ambiguous, and overbroad in that it does not adequately define the term “trade secrets” thereby making compliance with the designation not feasible.
- Topic #11 – Objection, this topic is vague, ambiguous, and overbroad in that it does not adequately define the term “trade secrets” thereby making compliance with the designation not feasible.
- Topic #15— Objection, this topic is overbroad as it failed to apply any date limits for the deposition topic and the outer limits of the areas of inquiry noticed cannot be identified, thereby making compliance with the designation not feasible.
- Topic #16 – Objection, Armory has voluntarily dismissed its trademark, traddress, and copyright claims. Thus, this topic seeks to obtain discovery regarding information that is both (1) irrelevant to any party's claim or defense, and (2) disproportionate to the needs of the case.
- Topic #25—Objection, Armory has voluntarily dismissed its trademark, traddress, and copyright claims. Thus, this topic seeks to obtain discovery

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regarding information that is both (1) irrelevant to any party's claim or defense, and (2) disproportionate to the needs of the case.

- Topic #26—Objection, Armory has voluntarily dismissed its trademark, traddress, and copyright claims. Thus, this topic seeks to obtain discovery regarding information that is both (1) irrelevant to any party's claim or defense, and (2) disproportionate to the needs of the case.
- Topic #32—Objection, this topic is overbroad as it failed to apply any date limits for the deposition topic and the outer limits of the areas of inquiry noticed cannot be identified, thereby making compliance with the designation not feasible.
- Topic #33 – Objection, this topic is overbroad because the area of inquiry for which a 30(b)(6) designation is sought indicates that the areas of inquiry will “includ[e] but not [be] limited to” the areas specifically enumerated, thereby making compliance with the designation an impossible task.

Thank you in advance for your willingness to consider and address these objections. Please advise on your earliest availability to meet and confer meet and confer in good faith pursuant to LCvR37-1 regarding the Notice and issues raised herein.

Sincerely,

MARQUIS AURBACH COFFING

*Alexander K. Calaway*

Alexander K. Calaway, Esq.

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